

Docket No: 16-0116
R/O.M.: 5/4/16
Deadline: N/A

M E M O R A N D U M

TO: The Commission

FROM: Terrance A. Hilliard, Administrative Law Judge

DATE: April 18, 2016

SUBJECT: Reliant Energy Northeast LLC d/b/a NRG Home

Petition for Emergency Relief to protect portions of NRG Home's Dekatherm Report to protect highly confidential information.

RECOMMENDATION: Grant the Motion to Dismiss.

I. PROCEDURAL HISTORY

On March 2, 2016, Reliant Energy Northeast LLC d/b/a NRG Home ("Petitioner") filed with the Illinois Commerce Commission ("Commission") a verified petition, supported by an affidavit of one of its officers, requesting an order protecting from disclosure confidential and proprietary information contained in its Annual Dekatherm Report which is a report required by 83 Ill. Admin. Code Section 551.170.

Subsequently, on April 18, 2016, Petitioner filed a motion to dismiss the petition stating that pursuant to Section 19-110(i) of the Public Utilities Act ("Act"), its report is entitled to two years of confidential treatment on the basis of its previously filed affidavit. Because of this recent change to the Act an order from the Commission is no longer required to obtain confidential treatment for this report.

II. ISSUE

A. Whether to Grant Petitioner's Motion to Dismiss

The Petitioner is entitled to voluntarily dismiss its petition for confidential treatment of its dekatherm report which no longer requires a Commission order to obtain confidential treatment.

III. CONCLUSION

All matters in controversy have been resolved, I recommend the Commission grant the Motion to Dismiss.

TAH:fs